

**ASSEMBLY BILL**

**No. 837**

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**Introduced by Assembly Member Levine**

February 22, 2007

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An act to amend Section 387 of the Public Utilities Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 837, as introduced, Levine. Energy: renewable energy resources.

Under existing law the governing board of a local publicly owned electric utility is responsible for implementing and enforcing a renewables portfolio standard that recognizes the intent of the Legislature to encourage renewable energy resources, while taking into consideration the effect of the standard on rates, reliability, and financial resources and the goal of environmental improvement. Existing law requires the governing board of a local publicly owned electric utility to report certain information relative to renewable energy resources to its customers and to the State Energy Resources Conservation and Development Commission.

This bill would additionally require the governing board of a local publicly owned electric utility to annually report the proportion of electricity from eligible renewable energy resources provided to customers of the utility from an electricity generating facility owned and operated by the utility. This requirement would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 387 of the Public Utilities Code is  
2 amended to read:

3 387. (a) Each governing body of a local publicly owned electric  
4 utility, as defined in Section 9604, shall be responsible for  
5 implementing and enforcing a renewables portfolio standard that  
6 recognizes the intent of the Legislature to encourage renewable  
7 energy resources, while taking into consideration the effect of the  
8 standard on rates, reliability, and financial resources and the goal  
9 of environmental improvement.

10 (b) Each local publicly owned electric utility shall report, on an  
11 annual basis, to its customers and to the State Energy Resources  
12 Conservation and Development Commission, the following:

13 (1) Expenditures of public goods funds collected pursuant to  
14 Section 385 for eligible renewable energy resource development.  
15 Reports shall contain a description of programs, expenditures, and  
16 expected or actual results.

17 (2) The resource mix used to serve its customers by fuel type.  
18 Reports shall contain the contribution of each type of renewable  
19 energy resource with separate categories for those fuels that are  
20 eligible renewable energy resources as defined in Section 399.12,  
21 except that the electricity is delivered to the local publicly owned  
22 electric utility and not a retail seller. Electricity shall be reported  
23 as having been delivered to the local publicly owned electric utility  
24 from an eligible renewable energy resource when the electricity  
25 would qualify for compliance with the renewables portfolio  
26 standard if it were delivered to a retail seller.

27 (3) The utility's status in implementing a renewables portfolio  
28 standard pursuant to subdivision (a) and the utility's progress  
29 toward attaining the standard following implementation.

30 (4) *The proportion of electricity from eligible renewable energy*  
31 *resources provided to customers of the utility from an electricity*  
32 *generating facility owned and operated by the utility.*

1     SEC. 2. No reimbursement is required by this act pursuant to  
2     Section 6 of Article XIII B of the California Constitution because  
3     a local agency or school district has the authority to levy service  
4     charges, fees, or assessments sufficient to pay for the program or  
5     level of service mandated by this act, within the meaning of Section  
6     17556 of the Government Code.

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